

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

PANCAKE KING, LLC, a Washington limited liability company; 638, INC., a Washington corporation; and 668, INC., a Washington corporation,	No. 2:23-cv-01142 MJP
	STIPULATION FOR BRIEFING SCHEDULE FOR CROSS MOTIONS FOR SUMMARY JUDGMENT
Plaintiffs,	NOTING DATE DECEMBER 6, 2023
vs.	
U.S. SPECIALTY INSURANCE COMPANY, a foreign insurance company,	
	Defendant.

Plaintiffs PANCAKE KING, LLC, 638, Inc., and 668, Inc. (“Pancake King”) and Defendant U.S. Specialty Insurance Company (“USSIC”) by and through their counsel of record, hereby stipulate to this motion to set a briefing schedule for cross Motions for Summary Judgment. The parties stipulate that the motions and cross-motions shall be limited to the issue of whether the wage & hour exclusion in the USSIC policies bars coverage for the claims against Pancake House.

The parties request that the Court order as follows:

Defendant USSIC shall file its opening brief December 20, 2023.

**STIPULATION FOR BRIEFING SCHEDULE  
FOR CROSS MOTIONS FOR SUMMARY  
JUDGMENT (Cause No. 2:23-cv-01142 MJP) – 1**



1000 SECOND AVENUE, SUITE 2050  
SEATTLE, WASHINGTON 98104  
TELEPHONE: (206) 623-4100  
FAX: (206) 623-9273

1 Plaintiff Pancake King, LLC shall file its opposition and cross-motion on  
2 January 17, 2024

3 Defendant USSIC shall file its combined reply and opposition on January 31,  
4 2024

5 Plaintiff Pancake King, LLC shall file its reply in support of its cross-motion on  
6 February 7, 2023

7 DATED this 6<sup>th</sup> day of December, 2023.

8 s/ Lisa C. Neal

9 Lisa C. Neal, WSBA No. 25686  
10 Wilson Smith Cochran Dickerson  
11 1000 2<sup>nd</sup> Avenue, Suite 2050  
12 Seattle, WA 98104  
13 (206) 623-4100 P | (206) 623-9273 F  
14 l.neal@wsqd.com  
15 Attorney for Defendant

16 s/ Terrance McInnis

17 Terrence R. McInnis, CA No. 155416  
18 Troutman Pepper  
19 5 Park Plaza, Suite 1400  
20 Irvine, CA 92614  
21 (949) 622-2705 P  
22 terrence.mcinnis@troutman.com  
23 Attorney for Defendant

24 DATED this 6<sup>th</sup> day of December, 2023.

25 s/Brendan Winslow-Nason

26 Brendan Winslow-Nason, WSBA #39328  
Katherine S. Wan, WSBA #58647  
Gordon Tilden Thomas & Cordell, LLP  
600 University Street, Suite 2915  
Seattle, WA 98101  
(206) 467-6477 P (206) 467-6292 F  
bwinslow-nason@gordontilden.com;  
kwan@gordontilden.com  
Attorneys for Plaintiffs

## ORDER

Based on the above Stipulated Motion, IT IS SO ORDERED.

Defendant USSIC shall file its opening brief December 20, 2023;

Plaintiff Pancake King, LLC shall file its opposition and cross-motion on January 17, 2024;

Defendant USSIC shall file its combined reply and opposition on January 31, 2024; and

Plaintiff Pancake King, LLC shall file its reply in support of its cross-motion on February 7, 2023.

DATED this 6th day of December, 2023.

Wassily Kandinsky

Marsha J. Pechman  
United States Senior District Judge